

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

MICHAEL J. FLYNN, *et al.*,

Plaintiffs,

v.

MICHAEL E. LOVE, *et al.*,

Defendants.

Case No. 3:19-CV-00239-MMD-CLB

ORDER STRIKING DOCUMENT

[ECF No. 342]

Before the Court is Plaintiffs Philip Stillman ("Stillman") and Michael Flynn's ("Flynn") (collectively referred to as "Plaintiffs") objection to Defendants Michael E. Love, Jacquelyne Love, and Meleco, Inc.'s, (collectively referred to as "Defendants") third memorandum in support of attorney fees. (ECF No. 342.)

On March 16, 2023, the Court granted Defendants' motion to compel related to Plaintiff Flynn's repeated refusal to comply with discovery requests, as well as orders of the Court. (ECF No. 331.) Specifically at issue were several requests for production of documents ("RPDs") included in Defendants' first set of RPDs to Flynn. (ECF No. 308.) In addition, the Court granted the motion for sanctions in the form of a grant of attorney's fees. (ECF No. 331.)

In the Order, the Court explicitly admonished Plaintiffs that they should not file documents in this case on behalf of one another and any such future filings will result in documents being summarily stricken. (*Id.* at 8.) The Court also warned Stillman that the Court would not accept any additional documents that appeared to be drafted and filed by Stillman on Flynn's behalf. (*Id.*) Despite these warnings and admonishments, it appears that Stillman prepared Flynn's objection to Defendants' third memorandum in

support of attorney fees. (See ECF No. 342.)¹ Thus, the objection to Defendants' memorandum for attorney's fees, which was prepared by Stillman, is **STRICKEN**. See *Ready Transp., Inc. v. AAR Mfg., Inc.*, 627 F.3d 402, 404 (9th Cir. 2010) (district courts have authority to strike an improper filing under their inherent power to control the docket). However, the Court will give Flynn an additional **7 days** to file an objection to the memorandum for attorney's fees.²

Accordingly, **IT IS ORDERED** that the objection to Defendants' memorandum in support of attorney's fees, (ECF No. 342), is **STRICKEN**.

IT IS FURTHER ORDERED that Flynn shall have **7 days** from the date of this order to file an objection to the memorandum for attorney's fees.

DATE: April 14, 2023.



UNITED STATES MAGISTRATE JUDGE

¹ ECF No. 342 was electronically signed by Stillman and the Court notes that per the Court's electronic filing system, it is clear the document was filed electronically by Stillman. Specifically, the electronic entry lists the docket entry for this document as follows: "RESPONSE to 334 Memorandum, by Plaintiff Michael J. Flynn. (Stillman, Philip) (Entered: 04/12/2023)". The reference to Stillman's name in parentheses establishes that this document was filed under Stillman's electronic filing account in direct violation of the Court's prior order.

² The Court cautions Stillman for this last and final time. If any additional documents are drafted and filed by Stillman on behalf of Flynn, the Court will issue an order to show cause why Stillman should not be sanctioned and referred to the Bar for his improper ghost writing and his repeated failures to follow the Court's orders.